

**ASSEMBLY BILL**

**No. 486**

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**Introduced by Assembly Member Chesbro**

February 24, 2009

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An act to amend Section 8630 of the Government Code, relating to local emergencies.

LEGISLATIVE COUNSEL'S DIGEST

AB 486, as introduced, Chesbro. Local government: emergencies.

Existing law requires a governing body of a city, county, or city and county that declared a local emergency to review the need for continuing the local emergency at its regularly scheduled meetings, but at least every 21 days, or, if the governing body meets weekly, to review the need for continuing the local emergency at least every 14 days, until the local emergency is terminated.

This bill would eliminate the distinction between a governing body that meets weekly and nonweekly, and require any governing body to review the continuing need for a local emergency at least once every 30 days until the local emergency is terminated.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     SECTION 1. Section 8630 of the Government Code is amended
- 2     to read:
- 3     8630. (a) A local emergency may be proclaimed only by the
- 4     governing body of a city, county, or city and county, or by an
- 5     official designated by ordinance adopted by that governing body.

1 (b) Whenever a local emergency is proclaimed by an official  
2 designated by ordinance, the local emergency shall not remain in  
3 effect for a period in excess of seven days unless it has been ratified  
4 by the governing body.

5 (c) ~~(1) The governing body shall review, at its regularly~~  
6 ~~scheduled meetings until the local emergency is terminated, the~~  
7 ~~need for continuing the local emergency. However, in no event~~  
8 ~~shall a review take place more than 21 days after the previous~~  
9 ~~review. at least once every 30 days until the governing body~~  
10 ~~terminates the local emergency.~~

11 ~~(2) Notwithstanding paragraph (1), if the governing body meets~~  
12 ~~weekly, it shall review the need for continuing the local emergency~~  
13 ~~at least every 14 days, until the local emergency is terminated.~~

14 (d) The governing body shall proclaim the termination of the  
15 local emergency at the earliest possible date that conditions  
16 warrant.